

Inventions under 35 U.S.C. 121. The Inventions stated are Group I - Claims 1-20 to a method of manufacturing a GMR read head, classified in Class 29, subclass 603.08 and Group II - Claims 21-40 to a GMR read head, classified in Class 360, subclass 324.1.

Applicant provisionally elects to be examined the Invention described by the Examiner as Group I - Claims 1-20 drawn to a process classified in Class 29, subclass 603.08. This election is made with traverse of the requirement under 37 C.F.R.1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction given in the Office Action. The Examiner gives the reason for the distinctness of the two inventions as (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP 806.05(f)). However, upon reading the product Claims against the process Claims one can readily see that the product Claims are directed to "a CPP GMR read head" and the process Claims are directed to "a process to manufacture a CPP GMR read head", it is necessary to obtain claims in both the product and method claim language. The method Claims necessarily use the product and vice versa. The field of search must necessarily cover both the method class/subclass

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29/603.08 and products class 360/324.1 in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "In the instant case, the product can be made by a process not requiring the particulars of the annealing magnetic field set forth in Group I", is very speculative and really has nothing to do with the Claims as presented in this Patent Application. Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of a second Patent Application upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement and the Allowance of the present Patent Application is requested.

Sincerely,

  
Stephen B. Ackerman, Reg.# 37761